

11-7-05 JCO4 Rec'd PCT/PTO 07 NOV 2005 JCO4 NOV 07 09:10 11-7-05

PTO-1390 (Rev. 02-2005)

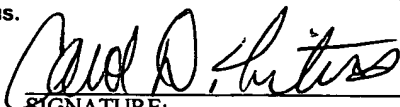
Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 325-003US
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/555895</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/014368	INTERNATIONAL FILING DATE 5/7/2004	PRIORITY DATE CLAIMED 5/7/2003
TITLE OF INVENTION TREATING BACK PAIN BY RE-ESTABLISHING THE EXCHANGE OF NUTRIENT & WASTE		
APPLICANT(S) FOR DO/EO/US Yeung, Jeffrey E. and Yeung, Teresa T.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"><li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li><input type="checkbox"/> The US has been elected (Article 31).</li><li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))<ol style="list-style-type: none"><li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li><input type="checkbox"/> has been communicated by the International Bureau.</li><li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).<ol style="list-style-type: none"><li><input type="checkbox"/> is attached hereto.</li><li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li><input type="checkbox"/> have been communicated by the International Bureau.</li><li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li><input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"><li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li><input checked="" type="checkbox"/> A preliminary amendment.</li><li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li><input type="checkbox"/> A substitute specification.</li><li><input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li><li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li><li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li><input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li><li><input checked="" type="checkbox"/> Other items or information: A copy of the Search Report</li></ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>U.S. APPLICATION NO.</b> (If known, see 37 CFR 1.5) <b>10/555895</b>		<b>INTERNATIONAL APPLICATION NO.</b> PCT/US2004/014368		<b>ATTORNEY'S DOCKET NUMBER</b> 325-003US	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00 All other situations ..... \$200.00				\$200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO has an International Searching Authority ..... \$100.00 International Search Report prepared and provided to the Office ..... \$400.00 All other situations ..... \$500.00				\$500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
<b>Total Sheets</b>	<b>Extra sheets</b>	<b>Number of each additional 50 or fraction thereof (round up to a whole number)</b>	<b>RATE</b>		
73	-100 = 0	/50 = 0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 0.00	
<b>CLAIMS</b>		<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	<b>\$</b>
Total claims		98 - 20 =	78	X \$50.00	\$ 3,900.00
Independent claims		4 - 3 =	1	X \$200.00	\$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 4,100.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 2,050.00	
<b>SUBTOTAL =</b>				<b>\$ 2,050.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 2,050.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 2,090.00</b>	
				<b>Amount to be refunded:</b>	<b>\$</b>
				<b>Amount to be charged:</b>	<b>\$</b>
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>2,090.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502276</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>CUSTOMER NO. 23429</p> <p>GSS Law Group 3900 Newpark Mall Road Third Floor, Suite 317 Newark, CA 94560</p>					
				 <b>SIGNATURE:</b> <b>CAROL D. TITUS</b> <b>NAME</b> <b>38,436</b> <b>REGISTRATION NUMBER</b>	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 325-003US  
PCT App. No.: PCT/US2004/014368  
Serial Number: Not yet known  
Filing Date: November 4, 2005  
Applicant(s): Jeffrey E. Yeung et al.  
Application Title: TREATING BACK PAIN BY RE-ESTABLISHING THE EXCHANGE  
OF NUTRIENT & WASTE

## National Stage Filing Under 35 USC 371

Date: November 4, 2005

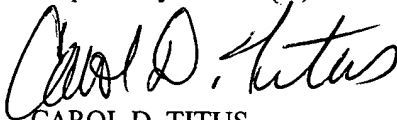
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Dear Sir,

Enclosed are the following:

- (1) Transmittal letter to the United States Designated/Elected Office Concerning a Filing under 35 USC 371
- (2) Amendment (15 pages)
- (3) Signed Declaration and Power of Attorney (1 page)
- (4) Assignment Recordation Cover Sheet
- (5) Copy of Deed of Assignment (7 pages)
- (6) Information Disclosure Statement (2 pages)
- (7) IDS PTO form 1449A/PTO (1 page)
- (8) Copies of Foreign References (3 references)
- (9) Copy of Search Report
- (10) Check in the amount of \$2,090.00
- (11) Return Receipt postcard.


Respectfully Submitted,



CAROL D. TITUS  
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**CUSTOMER NO. 23429**  
GSS Law Group  
3900 Newpark Mall Rd., Suite 317  
Newark, CA 94560  
Phone (510) 742-7417  
Fax (510) 742-7419

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to Mail Stop PCT, Commissioner for Patents, Alexandria, VA 22313-1450.

By:   
Typed Name: Evanjin M. Dasalla

Express Mail Label No.: EV330475326US  
Date of Deposit: November 4, 2005